



The Lower Fox River and the Remedy Review Board

Questions and Answers

July, 1999

In preparation for a formal release of a proposed cleanup remedy for the Lower Fox River, the U. S. Environmental Protection Agency (EPA), in cooperation with its intergovernmental partners, recently presented a preliminary cleanup recommendation to EPA's internal National Remedy Review Board. What follows are commonly asked questions and answers about the National Remedy Review Board process and how it pertains to the Fox River cleanup.

What is the National Remedy Review Board?

The National Remedy Review Board is a group of EPA representatives charged with peer-reviewing high cost -- over \$30 million -- Superfund cleanup decisions and making advisory comments to the Regional office overseeing the site cleanup. The Board is composed of approximately 20 senior management, technical and/or policy experts from EPA headquarters and the 10 regional offices.

What is the Board's purpose?

The Board was created in January 1996, as part of a comprehensive Superfund reforms package designed to make Superfund more efficient, fair and cost-effective. The Board is charged with ensuring that high cost Superfund cleanup decisions are cost-effective and consistent with Superfund law, regulations and guidance at comparable sites.

How does the remedy review process work?

The process starts when the EPA Regional office notifies the State, Tribes, potentially responsible parties and Technical Assistance Grant (TAG) recipient that the proposed cleanup is subject to the Board's review.

Prior to one of the Board's regularly scheduled meetings, the EPA regional office submits an informational site package that the Board will use to conduct its review. The package includes information about the site including a site history, nature and extent of the contamination problem, a summary of the risk

assessment, and a review of considered alternatives. It also includes a preliminary proposed cleanup recommendation.

The Board's review has two phases: information gathering and deliberations. In the information-gathering phase, representatives from EPA and the State environmental agency brief the Board on key remedy selection issues. After a question and answer period, the Board deliberates on what has been presented, focusing on whether the proposed cleanup remedy is cost effective and otherwise consistent with the Superfund law, regulations and guidance and other similar sites.

What happens after the Board meets?

After the Board meeting, the Board transmits a memorandum to the EPA Regional office outlining any recommendations, advice, or findings the Board may have. EPA and State of Wisconsin decision makers will review and consider these findings with other intergovernmental partners during the development of the formal cleanup proposal, called a Proposed Plan. In addition, when the Proposed Plan is released for the Lower Fox River, another version of the Remedial Investigation/Feasibility Study and Risk Assessment will be open to the public for comment.

In addition, the EPA Regional office will provide a written response to the Board which explains any changes made to the Proposed Plan as a result of the recommendations. Both the Board's recommendations and the Regional response will be available for public review in the Administrative Record when the Proposed Plan is released.

Can the public participate?

The Remedy Review Board process is an internal quality control review and thus is not open to public participation. However, the process provides potentially responsible parties, the TAG recipient, the State, and natural resource trustees an opportunity to summarize in

writing any concerns or issues that they believe are important to the Board's discussion of cleanup remedy issues. For the Fox River, these parties have been notified and provided with an opportunity to provide written comments. While only EPA and WDNR are permitted to present information about the Fox River at the Remedy Review Board meeting, once EPA and the State propose a cleanup remedy, an official Proposed Plan will be issued for public review and comment.

Where is the Fox River cleanup in the Remedy Review Board process?

Because the cost of the Fox River cleanup could exceed \$30 million, a cleanup remedy for the Fox River is subject to review by the National Remedy Review Board. On June 30, 1999, EPA submitted an information package containing a preliminary cleanup recommendation to the Board. The Board met in late July with EPA Regional and Wisconsin Department of Natural Resources (WDNR) representatives.

The Region expects recommendations from the Board within the next several months, well before completion

of the final draft Remedial Investigation/Feasibility Study and issuance of a Proposed Plan to the public.

The Proposed Plan, will be presented to the public in early 2000, in conjunction with a 60-day comment period and several public meetings.

Where can residents obtain additional information?

For additional information about the National Remedy Review Board, including Board recommendations for other sites and current Board membership, visit the web site at www.epa.gov/superfund/programs/nrrb/index/htm or contact Bri Bill, EPA Community Involvement Coordinator:

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